

REMARKS

Upon entry of the present amendment, the claims will not have been substantively amended. However, several new claims will have been submitted. The specification will have been amended by the submission of a new title for entry.

Initially, Applicant wishes to thank the Examiner for acknowledging the Claim for Foreign Priority and for his indication that the certified copy of the priority document has been received.

Applicant further notes with appreciation the Examiner's indication that the Information Disclosure Statement filed on March 22, 2003 has been considered. However, no such Information Disclosure Statement has been filed. On the other hand, based on the mailroom date stamps of the PTO-1449 Forms returned to Applicant (i.e., attached to the outstanding Official Action), the Examiner has considered the Information Disclosure Statements filed on March 22, 2002 as well as on January 2, 2003.

In this regard, Applicant notes the filing of a further Information Disclosure Statement on April 9, 2003. Since this Information Disclosure Statement was filed well before the issuance of the Official Action, it is submitted that consideration of the references cited therein is appropriate under the guidelines of 37 C.F.R. § 1.97. Accordingly, Applicant respectfully requests that the Examiner review the Information Disclosure Statement filed on April 9, 2003 and indicate the consideration of each of the cited references by return of the PTO-1449 Form attached thereto. Of course, should the Examiner not have this Information Disclosure Statement in his file or if any part of the same is missing, the

Examiner is respectfully requested to contact the undersigned who will endeavor to provide additional copies for the Examiner's convenience and for his use in considering these documents.

In the outstanding Official Action, the Examiner rejected claims 1-8 under 35 U.S.C. § 102(b) as being clearly anticipated by either BRISTOL (U.S. Patent No. 4,573,777) or SHIRAYANAGI (U.S. Patent No. 6,056,401). Applicant respectfully traverses each of these rejections and submits that the disclosures of these references are not adequate or sufficient to render unpatentable the combination of features recited in Applicant's claims. Applicant submits that claims in the present application are clearly patentable over either of these references, whether they are considered under 35 U.S.C. § 102, as asserted by the Examiner, or even if these references are considered under 35 U.S.C. § 103.

Initially, Applicant wishes to note that each of the references relied upon were cited in the Information Disclosure Statements filed in the present application. In particular, both of these references were cited in the Information Disclosure Statement filed on March 22, 2002.

Nevertheless, Applicant respectfully submits that neither of these references disclose the features recited in Applicant's claims and thus Applicant respectfully traverses the Examiner's rejection and requests an indication of the allowability of all the claims pending in the present application, in due course.

According to one feature of Applicant's invention, a single vision aspherical spectacle lens to correct eyesight includes a front surface and a back surface. At least one of the front

and back surfaces is aspherical and a framing reference point, that is coincident with the pupil position of a user when the lens is installed in a frame, is decentered from a geometrical center of an uncut circular lens. It is respectfully submitted that the combination of features recited in Applicant's claim 1 are not taught, disclosed nor rendered obvious by either BRISTOL or SHIRAYANAGI.

Dealing first with the BRISTOL reference cited by the Examiner, Applicant notes that the same is directed to a bifocal lens rather than a single vision aspherical spectacle lens. In this regard, Applicant respectfully directs the Examiner's attention to column 1, line 7 as well as column 2, lines 43-49. For this reason alone, it is respectfully submitted that BRISTOL does not disclose and cannot teach the combination of features defining Applicant's invention.

Moreover, the geometric center of the bifocal spectacle lens of BRISTOL is explicitly disclosed to coincide with the optical center. In this regard, the Examiner's attention is respectfully directed to column 2, lines 38-42. There, BRISTOL explicitly discloses a single "geometric and optical center 20". Thus, for this additional reason, it is respectfully submitted that the disclosure of BRISTOL is inadequate and insufficient and render unpatentable the claims of the present invention.

SHIRAYANAGI also does not disclose at least the recited feature that a framing reference point that is coincident with a pupil position of a user when the lens is installed on a frame is decentered from a geometric center of an uncut circular lens. In this regard, Applicant notes that in the paragraph of SHIRAYANAGI at column 5, lines 32-48, a

plurality (three) of reference markings (alignment reference markings 81) are provided for positioning the spectacle lens with respect to a spectacle frame. These three markings, as shown in Fig. 1, define a framing reference point 21. Further, SHIRAYANAGI discloses that the center axis Z extends through the geometric center of the lens 11. Accordingly, in SHIRAYANAGI the framing reference point also coincides with the geometric center of the lens. Thus, SHIRAYANAGI also contains a disclosure which is inadequate and insufficient to render unpatentable the claims in the present application.

Applicant's claim 6 recites a processing method for manufacturing an aspherical spectacle lens. The method includes attaching a semifinished lens blank whose front surface is finished to a NC machine tool and cutting or grinding a back surface of the semifinished lens blank to be an aspherical surface. The semifinished lens blank is attached to the NC machine tool such that the front surface is not inclined with respect to a machine coordinate of the NC machine tool. It is respectfully submitted that the combination of features defining the processing method of Applicant's invention is not taught, disclosed nor rendered obvious by the references relied upon by the Examiner.

In this regard, Applicant notes that the Examiner in treating claims 6-8 noted that although they are method claims, the methods consist of a broad step of "attaching", "cutting", and therefore these steps would be inherently satisfied by the apparatus of the reference as modified. The Examiner is respectfully submitted to be incorrect and the references contain no support for this position. In particular, neither of the references disclose any apparatus whatsoever. The references disclose a lens blank, they do not disclose

a method or an apparatus for manufacturing an aspherical spectacle lens. Accordingly, the Examiner is totally without any basis in asserting that the steps would be inherently satisfied by the apparatus, at least since no apparatus is disclosed.

Moreover, it is respectfully submitted that the Examiner is without authority to broadly assume that each of the steps of Applicant's method is "inherent". In order to support a rejection based on inherency the Examiner must assert that, by necessity, each of Applicant's features are disclosed. It is respectfully submitted that the Examiner cannot make such an assertion in the present application and for this additional reason, it is respectfully submitted that the Examiner's rejection is inappropriate. Moreover, there is no logical reason to assume that any numerically controlled machine tool would include a provision for cutting or grinding a semifinished lens blank while it is attached to the machine tool such that the front surface is not inclined with respect to the machine coordinate. This unique feature of Applicant's invention, in the claimed combination, is not taught, disclosed nor rendered obvious by either of the references relied upon by the Examiner.

By virtue of the manufacturing method set forth in Applicant's claim 5, the rotation torque of the process becomes constant, which results in a stabilization of the semifinished lens blank being processed which in turn enables more precise control of the aspherical surface processing.

In view of the above, Applicant respectfully requests reconsideration of each of the Examiner's rejections and an indication of the allowability of all the claims pending in the present application.

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By the present Response, Applicant has submitted several additional claims for consideration and submits that these claims are patentable based upon their respective recitations as well as based upon their depending from a shown to be allowable base claim.

SUMMARY AND CONCLUSION

Applicant has made a sincere effort to place the present application in condition for allowance and believes that he has now done so. Applicant has not significantly amended the claims but has traversed the rejections asserted thereagainst. Applicant has, however, submitted several additional dependent claims for consideration by the Examiner.

Applicant has discussed each of the references cited by the Examiner and has pointed out the significant shortcomings thereof. Applicant has compared the recitations of Applicant's claims to the disclosures of the references and has noted the deficiencies of the references with respect to the explicitly recited features of Applicant's invention. Accordingly, Applicant has provided a clear evidentiary basis supporting the patentability of all the claims in the present application and respectfully requests an indication to such effect in due course.

Should the Examiner have any questions or comments regarding this Response, or the present application, the Examiner is invited to contact the undersigned at the below-listed telephone number.

Respectfully submitted,
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